

PATENT

#17
CMA 4/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Jason Lenz
Application No.:	09/477236
Filed:	January 4, 2000
For:	A More Durable Balloon
Examiner:	Manuel Mendez
Group Art Unit:	3763

Box _____
Assistant Commissioner for Patents
Washington, D.C. 20231

Docket No.: S63.2-7531-US

AMENDMENT AND RESPONSE

This is a response to the Office Action mailed January 15, 2003.

Remarks

In the response mailed April 19, 2002, new claims 30-32 were added. The Examiner has not yet acted on these claims. Claims 1, 3-8 and 23-32 should be pending in the application.

*Rejections***35 U.S.C. §112**

Claims 1, 3, 23 and 27 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action argues that for a person of ordinary skill in the art, a coating cannot simultaneously be both uniform and non-continuous.

Applicant disagrees. A coating can in fact be both uniform and non-continuous. "Uniform" is used in the present application to, for one, modify the word "pattern". See page 5, lines 3-7 and page 9, lines 1-7, for example. In these embodiments of the present invention, it is used to define the distances between those areas of the medical device which are coated and

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FACSIMILE TRANSMITTAL LETTER

TO: Examiner Mendez

FACSIMILE NO.: 703-872-9302

TIME: 2:10 PM

TOTAL NUMBER OF PAGES (including cover letter): 6

Enclosed please find a 6 page amendment and response to the Non-final Office Action sent on January 15, 2003.

If a fee is required, the Commissioner of Patents is hereby authorized to charge Deposit Account No. 22-0050 for any required fees.

Respectfully Submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: April 15, 2003

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